

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.:_____
	:	
v.	:	DATE FILED:_____
	:	
	:	VIOLATIONS:
DANIEL KEANE	:	18 U.S.C. § 1341 (Mail fraud - 2 counts)
LINDA HENDERSON	:	18 U.S.C. § 2314 (Interstate transportation
KENNETH JUBILEE	:	of property obtained by fraud - 1 count)
CHARLES SAMPSON	:	18 U.S.C. § 1347 (Health care fraud -
MARION "TINA" BRITTINGHAM	:	1 count)
	:	26 U.S.C. § 7201 (Tax evasion - 1 count)
	:	18 U.S.C. § 2 (Aiding and abetting)

INDICTMENT

COUNTS ONE AND TWO

THE GRAND JURY CHARGES THAT:

At times material to this indictment:

1. Defendant DANIEL KEANE was a "runner," that is, a person who accepted fees from attorneys and doctors to refer to them persons who claimed to have been injured in slip-and-fall or automobile accidents.

2. Marion "Tina" Brittingham, charged elsewhere in this indictment, was a receptionist employed by William S. Matura, charged elsewhere, at Matura's chiropractic office in Philadelphia, PA.

3. Persons who were injured in slip-and-fall accidents could file claims against insurance companies that insured the businesses located at the spots at which they had fallen to recover compensation for their medical bills and for their purported "pain and suffering"

(hereafter “personal injury claimants”). In determining the amounts to award successful personal injury claimants, insurance companies based settlement figures in large part on the amount of the medical treatment claimed, that is, the higher the medical bills, the higher the award was likely to be.

#### THE SCHEME

4. From in or about 1994 to on or about January 28, 2001, defendants

DANIEL KEANE,  
CHARLES SAMPSON, and  
LINDA HENDERSON,

and Kenneth Jubilee and Marion “Tina” Brittingham, charged elsewhere in this indictment, and others known and unknown to the grand jury, devised and intended to devise a scheme to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

It was part of the scheme that:

5. Defendant DANIEL KEANE solicited personal injury claimants to stage slip-and-fall accidents and file insurance claims falsely representing that they had sustained physical injuries in the staged accidents to recover settlements from the insurance companies. Those persons included Kenneth Jubilee, Marion “Tina” Brittingham and defendant CHARLES SAMPSON.

6. Defendant DANIEL KEANE received referral fees of up to \$800 per claimant from personal injury attorneys to whom he referred the personal injury claimants and from chiropractors and other health care professionals who purportedly treated the personal injury claimants, including chiropractor William S. Matura.

7. Chiropractors and other health care professionals, including William S. Matura, fabricated medical bills and reports describing treatment of personal injury claimants that did not occur to make it appear as though the claimants were seriously injured in the staged accidents, and thereby increase the value of the personal injury claims. The bills and reports were submitted for payment to insurance companies by, among others, attorneys representing the personal injury claimants.

8. Marion “Tina” Brittingham told personal injury claimants referred to the office of William S. Matura by defendant DANIEL KEANE that she would falsify records of the practice to make it appear as though the claimants visited the practice for treatment at times that they did not do so.

9. Kenneth Jubilee, Marion “Tina” Brittingham and defendant CHARLES SAMPSON staged fraudulent slip and fall claims through defendant DANIEL KEANE.

10. Defendants LINDA HENDERSON and DANIEL KEANE staged a fraudulent slip-and-fall accident using C.H., defendant HENDERSON’s then-minor daughter.

11. Defendants DANIEL KEANE, CHARLES SAMPSON, LINDA HENDERSON, and Kenneth Jubilee and Marion “Tina” Brittingham caused insurance companies to issue checks in settlement of the staged slip-and-fall accidents and to chiropractic and other medical providers who submitted fraudulent bills and records described in paragraphs 7 and 8, above.

12. On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, the following defendants, for the purpose of executing, and aiding abetting the execution of, the scheme described above, and attempting to do so, knowingly caused to be delivered by mail according to the directions thereon, the following items:

COUNT	DATE	DEFENDANT	ITEM
1	11/7/00	DANIEL KEANE CHARLES SAMPSON	\$12,250 check from Gallagher-Bassett Services
2	2/14/00	LINDA HENDERSON	\$7,500 check from Liberty Mutual Insurance Co.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT THREE

1. Paragraphs 1 through 3 and 5 through 11 of Counts One and Two are realleged here.
2. On or about February 28, 2001, in the Eastern District of Pennsylvania and elsewhere, defendant

KENNETH JUBILEE

transported in interstate commerce from New Jersey to Pennsylvania goods and merchandise with a value of \$5,000 or more, that is, a \$5,000 settlement check from Princeton Insurance Company, and aided and abetted the transportation of such goods and merchandise, knowing the same to have been stolen, converted and taken by fraud.

In violation of Title 18, United States Code, Sections 2314 and 2.

COUNT FOUR

1. Paragraphs 1 through 11 of Counts One and Two are realleged here.
2. On or about September 20, 1999, at Philadelphia, defendant

MARION "TINA" BRITTINGHAM

and Daniel Keane knowingly and willfully executed, and aided and abetted the execution of, a scheme to defraud a health care benefit program, that is, the Mutual Benefit Insurance Company, and to obtain money and property owned by and under the custody and control of the Mutual Benefit Insurance Company, by means of false and fraudulent pretenses, representations, and promises, in connection with payments for health care services, by fabricating and causing to be fabricated false and fraudulent bills and records describing chiropractic and physiotherapy treatment purportedly provided to defendant BRITTINGHAM that, in fact, were not provided, and by causing the Mutual Benefit Insurance Company to issue \$15,000 in checks based on and in payment of the false and fraudulent bills and records.

In violation of Title 18, United States Code, Sections 1347 and 2.

COUNT FIVE

1. Between in or about 1997 and in or about 2001, defendant DANIEL KEANE received approximately \$313,958 in gross income on which he owed approximately \$106,223 in federal income tax.

2. On or about April 15, 2002, in the Eastern District of Pennsylvania, defendant  
  
DANIEL KEANE,  
  
a resident of Philadelphia, Pennsylvania, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 2001 by failing to make an income tax return on or about April 15, 2002, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this income tax, and by concealing and attempting to conceal from all proper officers of the United States of America his true and correct income through various means, including, among other things, receiving and negotiating checks made out to fictitious names and conducting his business transactions in cash and money orders.

In violation of Title 26, United States Code, Section 7201.

A TRUE BILL:

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GRAND JURY FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney